

SAGASER, JONES & HAESY

2445 Capitol Street, 2nd Floor
Post Office Box 1632
Fresno, California 93717-1632

Telephone: (559) 233-4800

Facsimile: (559) 233-9330

Patrick D. Toole #190118

Attorneys for: Defendant J. Dean Ballard & Sons Tile & Marble Company, a California corporation

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRICKLAYERS and ALLIED
CRAFTWORKERS LOCAL 3 DEFINED
CONTRIBUTION PENSION FUND,

Plaintiffs,

v.

J. DEAN BALLARD & SONS TILE &
MARBLE COMPANY, a California
corporation,

Defendant.

Case No. CV-F-05-MC-00010 SMS

Original Case No: CV-S-02-1277-
LRH-(RJJ)

**STIPULATION OF DISMISSAL;
ORDER THEREON
[Fed. Rule Civ. Proc. 41(a)]**

IT IS HEREBY STIPULATED by and between the parties to this action through their respective counsel that the above-captioned action be and hereby are dismissed with prejudice pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1).

DATED: April 5, 2006

SAGASER, JONES & HAESY

By: /s/ Patrick D. Toole

Patrick D. Toole, Attorneys for Defendant
J. Dean Ballard & Sons Tile & Marble
Company, a California corporation

1 DATED: April 7, 2006

LAQUER, URBAN, CLIFFORD & HODGE LLP

2
3 By: /s/ Douglas V. Ritchie
4 For Michael A. Urban, Attorneys for Bricklayers
5 and Allied Craft Workers Local 3 Defined
6 Contribution Trust Fund

7 **ORDER**

8 Based upon this Stipulation, IT IS HEREBY ORDERED that this Action is
9 DISMISSED WITH PREJUDICE.

10 DATED: 4/14/2006

11 /s/ Sandra M. Snyder
12 SANDRA M. SNYDER
13 MAGISTRATE JUDGE OF THE
14 UNITED STATES DISTRICT COURT
15
16
17
18
19
20
21
22
23
24
25
26
27
28